

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS (EASTERN DIVISION)**

Comcast of Georgia/Massachusetts, Inc.) and Comcast of Middletown, Inc. and) Comcast of Boston, Inc. and Comcast of) California/ Massachusetts/ Michigan/Utah, Inc. and Comcast of Maine/New) Hampshire, Inc. and Comcast of) Massachusetts I, Inc. and Comcast of) Massachusetts II, Inc. and Comcast of) Massachusetts III, Inc. and Comcast of) Massachusetts/New Hampshire/Ohio, Inc. and Comcast of New Hampshire, Inc. Plaintiffs, vs. Joseph Amaro, Dimas Amaro, and Joseph Amaro and Dimas Amaro, Jointly d.b.a. CABLEJOINT and D's Electronics Defendants	Case No.: 04-cv-10414-RCL EXHIBIT E TO THE MOTION FOR SUMMARY JUDGMENT AFFIDAVIT OF JAMES MOONEY

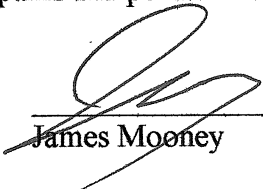
Now comes the affiant, James Mooney. The affiant makes this sworn statement under the pains and penalties of perjury and of his own personal knowledge:

1. I, James Mooney, am presently a computer forensics specialist with Mooney Services.
2. Formerly, and for many years, I was a Special Agent and computer forensics expert with the United States Secret Service and, as such, have testified in Federal and State courts on computer forensic evidentiary matters.
3. In my past position, I would periodically be called upon to assist local police departments that did not have computer forensics expert on staff.
4. In June of 2001, the Taunton, Massachusetts Police Department requested the

assistance of the Secret Service in the examination of computers that were seized, pursuant to a search warrant, from the above referenced Defendants at their 333 Cohannet Street, Taunton, Massachusetts residence.

5. I examined four computers and attached storage devices, utilizing computer forensics standards that I am familiar with and for which I have been trained.
6. The evidence examined consisted of three computers and attached storage devices that were seized by the Taunton Police Department and are identified as the following:
 - a. Sony Vaio computer, serial number 40910227A-28306030-3108748
 - b. Compaq Presario computer, serial number 9040FPM9L756
 - c. Emachines computer, serial number QFK01-100-11351
 - d. Compaq Armada computer, serial number G743HZA31316
7. There were numerous files on the computers; however the files that were pertinent to the criminal investigation and that now appear to be pertinent to this civil action were the files which contained lengthy lists of names, dates, addresses, monetary amounts, and models shipped.
8. Specifically I found;
 - a. A list of names and addresses that, from it's labeling, appears to be a list of purchasers. This list can be referred to as the "sent-paid" list. This list is attached hereto as "**Exhibit A**".
 - b. A list of individuals who apparently returned items to the Defendants. This list is attached hereto as "**Exhibit B**".

Signed and sworn to under the pains and penalties of perjury.

 1/25/06
James Mooney